

FLYNN & ASSOCIATES, LLC

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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SUNIL DUTT, ON BEHALF OF HIMSELF AND

CIVIL ACTION

ALL OTHER PERSONS SIMILARLY SITUATED

DOCKET NO: 18-14117-RMB

PLAINTIFF

v.

**ABK PETROLEUM CORP., ABC CORP.S NO.S 1-
10 (SAID NAMES BEING UNKNOWN AND
FICTITIOUS), SUNNY SINGH A/K/A SONNY
SINGH, PRABHJIT SINGH, AND KAMALJIT
SINGH**

**DEFENDANTS' COUNSEL'S AFFIDAVIT
OF SERVICES**

DEFENDANTS

I, Alex Flynn, Esquire, being of full age, hereby certify as follows:

1. I am an attorney at law licensed in the State of New Jersey and the Commonwealth of Pennsylvania.
2. I am a member of the bar of the Federal Court, District of New Jersey and am admitted to practice before this Honorable Court.
3. Our firm represents the Defendants in the above captioned matter.

FLYNN & ASSOCIATES, LLC
439 Monmouth Street, Gloucester City, NJ 08030

4. Throughout our representation in this matter, our firm has maintained detailed billing records of all time expended and any costs incurred.
5. I have attached a complete copy of our firm's billing records arising out of Plaintiff's pending Motion for Sanctions and Defendants' Cross Motion for Sanctions and Opposition to Plaintiff's Motion.
6. These billing records reflect only the time and expenses arising out of the limited scope of motions practice before the Court which was initiated on June 17, 2020 when Plaintiff's counsels filed Plaintiff's Motion for Sanctions.
7. Our remaining billing records for this matter are not attached since we do not feel they are relevant to the issues at hand and would serve only to create ambiguity at this time.
8. On July 20, 2020, when I electronically served Plaintiff's counsels with Defendants's proposed Rule 11 Cross Motion and Opposition, our firm included in the Brief at 32 an estimate of our professional time and the fee structure upon which same was calculated so as to provide fair notice of the potential amount sought as sanctions as of that date, along with notice that we would file an Affidavit of Services with the Court if Plaintiff's counsels did not withdraw their motion.
9. As the Court will see from the attached billing records, our firm's additional time in this matter since July 20, 2020 is for the modest time required to prepare this Affidavit of Services, electronically file the various documents associated with the Defendants' Cross Motion for Sanctions and Opposition to Plaintiff's Motion and mail a courtesy copy to Chambers as required in the Court's Judicial Preferences.

10. As detailed in the substantive filing, our firm's hourly rate on this matter is \$250.00 per hour. We view this as very reasonable for the level of professional experience held by the attorneys in our firm, our backgrounds, length of practice and the current market for legal services in Southern New Jersey for this type of matter.
11. Notably, our firm charges a substantially lower hourly fee than the \$400.00 per hour rate which Plaintiff's counsels ask the Court to adopt in Plaintiff's Motion for Sanctions.
12. All expenses incurred are at their actual cost and our firm does not bill for any photocopying expenses as we view those services as necessary core components of representation.
13. It is my professional opinion based upon involvement in numerous matters before the Federal Court that the fees charged by our firm in this matter are reasonable in light of the total circumstances.
14. Therefore, I respectfully request that the Court award Defendants the following fees and expenses as a sanction against Plaintiff's counsels:

Total Professional Fees to Date \$ 4,462.50

Total Expenses incurred to Date \$ 13.20

15. Our firm respectfully reserves the right to file a supplemental Affidavit of Services for any additional professional time or expenses which are incurred to the review of any response filed by Plaintiff's counsels, prepare and file any response to same on

behalf of Defendants and the time required for a hearing conducted by the Court on the issues in this matter.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Respectfully submitted,

Dated:

8/11/2020

Flynn & Associates, LLC

by

A handwritten signature in blue ink, appearing to read 'Alex Flynn', written over a horizontal line.

Alex Flynn, Esquire

Exhibit A

8/11/2020
2:48 PMFlynn & Associates, LLC
Slip Listing

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Selection Criteria

Slip Classification	Open
Clie. Selection	Include: ABK Petro-Sanct

Rate Info - identifies rate source and level

Slip ID	Dates and Time	Timekeeper Activity	Units DNB Time	Rate Rate Info Bill Status	Slip Value
Posting Status	Description	Client Reference	Variance		
46236	TIME	Atty	2.50	250.00	625.00
6/23/2020		Review	0.00	T@1	
WIP		ABK Petroleum Corp.			
	Review of Plaintiff's Motion for Sanctions, Certification and Exhibits filed with the Court		0.00		
46237	TIME	Atty	0.25	250.00	62.50
6/29/2020		Prep and File	0.00	T@1	
WIP		ABK Petroleum Corp.			
	Preparation and file letter requesting automatic adjournment of Plaintiff's Motion for Sanctions pursuant to Local Rules		0.00		
46238	TIME	Atty	0.25	250.00	62.50
7/15/2020		Teleph call to	0.00	T@1	
WIP		ABK Petroleum Corp.			
	RMF telephone call to Daniel Knox, Esq. to review status of settlement and confer about potential withdrawal of Plaintiff's pending motion. Mr. Knox refused to withdraw, advising he wanted to see what the Court would do with it now that he had filed		0.00		
46239	TIME	Atty	6.00	250.00	1500.00
7/16/2020		Legal Research	0.00	T@1	
WIP		ABK Petroleum Corp.			
	Legal Research re Plaintiff's Motion and Cross Motion/Opposition thereto		0.00		
46240	TIME	Atty	4.25	250.00	1062.50
7/17/2020		Preparation of	0.00	T@1	
WIP		ABK Petroleum Corp.			
	Preparation of Cross Motion and Opposition to Plaintiff's Motion for Sanctions		0.00		
46241	TIME	Atty	1.00	250.00	250.00
7/19/2020		Preparation of	0.00	T@1	
WIP		ABK Petroleum Corp.			
	Preparation of Cross Motion and Opposition to Plaintiff's Motion for Sanctions		0.00		
46242	TIME	Atty	2.00	250.00	500.00
7/20/2020		Conference	0.00	T@1	
WIP		ABK Petroleum Corp.			
	Conference with client re Cross Motion and Opposition to Plaintiff's Motion for Sanctions		0.00		

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Slip Listing

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Slip ID		Timekeeper	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client		Bill Status	
Description		Reference	Variance		
46243	TIME	Atty	0.10	250.00	25.00
7/20/2020		Prep letter to	0.00	T@1	
WIP		ABK Petroleum Corp.			
Preparation and assembly of letter to Plaintiff's			0.00		
Counsels via email with electronic service of					
Defendants' proposed Rule 11 Cross Motion and					
Opposition to Plaintiff's Motion for Sanctions,					
attached as pdf					
46244	TIME	Atty	0.25	250.00	62.50
7/20/2020		Prep and File	0.00	T@1	
WIP		ABK Petroleum Corp.			
Preparation and file letter to Judge Bumb			0.00		
requesting safe harbor adjournment for Plaintiff's					
counsels pursuant to Fed. R. Civ. P. 11					
46245	TIME	Atty	0.50	250.00	125.00
8/11/2020		Preparation of	0.00	T@1	
WIP		ABK Petroleum Corp.			
Preparation of Affidavit of Services based upon			0.00		
billing records, scope limited to only sanctions					
issues					
46246	TIME	Atty	0.25	250.00	62.50
8/11/2020		Preparation of	0.00	T@1	
WIP		ABK Petroleum Corp.			
Preparation of Proof of Filing and Service of			0.00		
Defendants Cross Motion and Opposition					
46247	TIME	Atty	0.50	250.00	125.00
8/11/2020		Prep and File	0.00	T@1	
WIP		ABK Petroleum Corp.			
Preparation and file courtesy copy of Defendants'			0.00		
filing for Judge Bumb's Chambers, sent via USPS					
priority mail and tab divided for the Court's					
convenience					
46248	EXP	Atty	1	13.20	13.20
8/11/2020		\$Postage			
WIP		ABK Petroleum Corp.			
USPS Priority Mail, Medium Box transmitting					
courtesy copy to Judge Bumb's Chambers					
Grand Total					
		Billable	17.85		4475.70
		Unbillable	0.00		0.00
		Total	17.85		4475.70